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July 30, 2009

Honorable Henry Waxman, Chairman
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, DC 20515-6115

Dear Chairman Waxman:

The American Legion is deeply concerned with veterans' related issues within HR 3200:

- Penalty Tax for failure to enroll in an "acceptable" health insurance;
- Disincentive for employers to hire members of the Reserve components;
- Multiple health care options;
- Independence of the Departments of Defense's (DoD's) and Veterans Affairs' (VA's) health care systems;
- Third-party reimbursements for treatment of nonservice-connection conditions; and
- Penalty Tax on Reserve components Federalized or activated by the Governor.

The American Legion firmly believes VA provides "the best care anywhere" and is the role model for other health care providers to emulate. It is inconceivable under any conditions that VA health care would be considered "unacceptable" health care coverage and that VA beneficiaries would be subject to a penalty tax for choosing VA as their health care provider of choice.

The American Legion is concerned with the provision that would require all employers to provide health insurance for their workers at all times and the adverse impact it may have on the hiring of members of the Reserve components. Employers should receive a Federal tax credit for maintaining coverage of any Reserve components' service members Federalized or called to active-duty by the Governor.

The American Legion fully supports allowing veterans eligible for multiple health care coverage for themselves and their immediate family members be authorized to seek maximum coverage without penalty or exemption. Just because a veteran is eligible to enroll in VA should not prohibit enrollment in TRICARE, Medicare or any other Federal health care coverage for which he or she is qualified to receive.

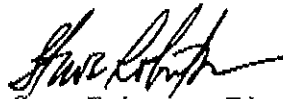
The American Legion believes DoD's and VA's health care delivery systems should be excluded from the National Health Care debate as both are earned benefits due to the veteran's honorable military service.

The American Legion believes that all insurance providers should be obligated to reimburse VA "reasonable charges" for allowable medical treatment and care of beneficiaries enrolled in the VA's integrated health care delivery system.

Finally, The American Legion would oppose levying a 2.5 percent tax on members of the Reserve components who may have a "break in health insurance coverage" while transitioning from the civilian work force to active military service or from active military service to the civilian work force. Members of the Reserve component have little to no control over Federalization or active-duty service orders from their Governor.

Thank you again for your leadership on this issue and continued concern for military veterans and their families.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Robertson", with a stylized flourish at the end.

Steve Robertson, Director
National Legislative Commission